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<b>Date</b>	September 2, 2008
<b>From</b>	Patrick (Rick) D. Boyd

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<b>Document</b>	Response to Non-Final Office Action		
<b>Pages</b>	19 (including cover)	AN ORIGINAL OF THIS FAX WILL ____ WILL NOT <u>X</u> FOLLOW.	

<b>Message</b>
Please find following: Response to non-final Office Action for patent application no. 10/549,330.

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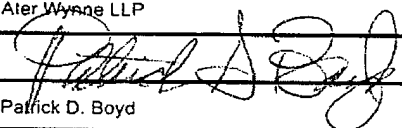
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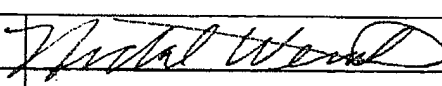
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/549,330	
	Filing Date	12 September 2005	
	First Named Inventor	Gary Mills	
	Art Unit	3736	
	Examiner Name	Brian S. Szmaj	
Total Number of Pages in This Submission	18	Attorney Docket Number	103477-0007

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Ater Wynne LLP		
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Printed name	Patrick D. Boyd		
Date	2 September 2008	Reg. No.	54,671

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Date	2 September 2008

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**PATENT APPLICATION**  
Attorney Docket No. 103477-0007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gary Mills et al.

Serial No. 10/549,330

Examiner: Brian Szmal

Confirmation No. 6689

Filed: 12 September 2005

Group Art Unit: 3736

For: METHODS OF AND APPARATUS FOR DETERMINING FLUID VOLUME  
PRESENCE IN MAMMALIAN TISSUE

Date: 2 September 2008

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NON-FINAL OFFICE ACTION**

Responsive to Office Action dated 06/05/2008, please enter the amendments submitted herein, and applicants request reconsideration of the application on the merits.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.